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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Andrew Jacob Marsala ,
Plaintiff,

vs.

Martin O'Malley, Commissioner of
Social Security¹,
Defendant.

Case No. 1:23-cv-01407-JLT-GSA
STIPULATION AND ORDER FOR
EXTENSION OF TIME

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from December 22, 2023 to March 22, 2024, for Plaintiff to serve on defendant with PLAINTIFF'S

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's
2 Scheduling Order shall be extended accordingly.

3 This is Plaintiff's first request for an extension of time. Plaintiff respectfully
4 states that the requested extension is necessary due several merit briefs being due
5 on the same week. For the weeks of January 22, 2024 and January 29, 2024,
6 Counsel has eleven merit briefs due. Counsel requires additional time to brief the
7 issues thoroughly for the Court's consideration. Defendant does not oppose the
8 requested extension. Counsel apologizes to the Defendant and Court for any
9 inconvenience this may cause.

10
11 Respectfully submitted,

12 Dated: January 19, 2024 PENA & BROMBERG, ATTORNEYS AT LAW
13

14 By: /s/ Jonathan Omar Pena
15 JONATHAN OMAR PENA
16 Attorneys for Plaintiff
17

18 Dated: January 19, 2024 PHILLIP A. TALBERT
19 United States Attorney
20 MATHEW W. PILE
21 Associate General Counsel
22 Office of Program Litigation
23 Social Security Administration

24 By: */s/ Justin Lane Martin
25 Justin Lane Martin
26 Special Assistant United States Attorney
27 Attorneys for Defendant
28 (*As authorized by email on January 19, 2024)

ORDER

Pursuant to stipulation,

IT IS SO ORDERED.

Dated: **January 19, 2024**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE